

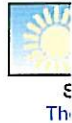
Springfield, Missouri

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Published August 24, 2004

Diesel leak contaminates yard

The Lillards say an open pipe in their back yard has emitted foul odors, nasty runoff for years.

By [Wes Johnson](#)
News-Leader

They've endured a sickening stench from an open pipe in the middle of their back yard for years.

But diesel fumes emanating from the stormwater drain Sunday night were the last straw for Wayne and Connie Lillard, 2441 N. East Ave.

"The diesel smell coming from my air conditioner was so bad it woke me up," Wayne Lillard said. "We've been dealing with stuff coming out of this pipe for years. You try to sit on your deck and you can't stand it. It turns your yard into a septic tank."

The pipe drains into an oil-stained rocky gully that looks far out of place in the Lillards' otherwise neatly manicured yard.

The north-side Springfield couple even planted moonflowers around the pipe's opening, hoping the plants' sweet aroma would lessen the stink.

They raised seven children at the home, and fear that at least two of them got seriously sick as babies from pipe-related pathogens.

Last May, their son's backyard graduation party was almost canceled when foul liquid began pouring out of the pipe a day before 100 guests were to arrive.



Connie and Wayne Lillard, Springfield, are tired of foul water pouring out of a drainpipe into their back yard. Sunday night, diesel fuel leaking from a truck at Hiland Dairy entered the storm drain system that empties into the Lillards' back yard, a DNR investigator found. The company is cleaning up the Lillards' yard, but the family fears as long as the pipe is there, these incidents will continue.
Dean Curtis, News-Leader



Wendell Hall of DNR Emergency Response (right) talks about the cleanup with Hiland Dairy plant manager Lonnie Parmenter.
Dean Curtis / News-Leader

2441 N. East

They've complained to city and state officials before.

But their latest complaint — this time involving a possible fuel leak — brought swift action from the Missouri Department of Natural Resources' Emergency Response unit.

DNR investigator Wendell Hall quickly discovered that diesel fuel leaking from a truck at the nearby Hiland Dairy plant was the culprit.

Roughly 25 gallons flowed into the storm drain system that empties into the Lillards' back yard.

Hiland plant manager Lonnie Parmenter met Hall in the Lillards' back yard Monday afternoon.

Parmenter agreed to build a dam downstream of the pipe, use water to flush out the diesel fuel and then dig out fuel-contaminated soil down to clean dirt.

"They'll skim off the diesel at the dam, and put their yard back the way it was," Hall said.

The cleanup began late Monday.

"I'm satisfied with what they've done today, but not with the final outcome," Wayne Lillard said.

"We're still going to have an open pipe in our back yard, and it's going to happen all over again."

The Lillards' initial complaints were with Hiland Dairy.

The couple alleged the company was flushing old milk out of its trucks and sending it into storm drains. The brew turned rancid as it flowed into their back yard, they said.

"We've got 13 grandkids and there's no way we can let them go out and play in our back yard," Wayne Lillard said.

However, Hall said it wasn't milk but runoff from the company's truck-washing operation that caused the Lillards' backyard stench.

On several occasions that dirty wash water flowed out of the company's sump collection system and into nearby stormwater drainage pipes — instead of into sewer-system pipes as it was supposed to do.

DNR ordered the company to upgrade the sump system.

Instead of a single pump, DNR ordered a double-pump system, along with alarms in case it failed.

But last May, after some construction work was done at the plant, the power to the sump system was inadvertently left off.

The sump overflowed, wreaking havoc with the Lillards' graduation party plans.

Wayne Lillard said he's convinced that a similar problem on the city's wealthier south side would have been rectified far sooner.

"I'm sorry he's got that perception, but we've done a lot to address these kinds of problems in all quadrants of the city," said Todd Wagner, principal stormwater engineer with the city's Public Works Department. "Our capital improvement program has been very balanced."

And the city already has plans to continue drainage improvements all the way to the open pipe in their back yard, Wagner said.

Wagner said the city has spent about \$400,000 building a concrete drainage channel west of the Lillards' home.

The city plans to spend up to \$200,000 to finish building a pipeline that eliminates the gully in the Lillards' back yard and encloses the drainage system.

How long will the Lillards have to wait?

"At some point in time, we'll get it done," Wagner said. "We could certainly expedite that, although there are a lot of other projects we have to do, too."

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Memo

To: File – Connie Lillard, 2441 N. East (Hiland Dairy)
From: Gene Pabst *GP*
CC: Randy Lyman
Date: 09/10/01
Re: Milk in the ditch behind her house.

On September 10, 2001 (1:30 P.M.) I received a voice mail from Randy Lyman stating that he had a call from Bob Schaefer saying that Connie Lillard had called and said that there was milk in the storm pipe behind her house. I immediately went to that location. Upon investigation, I found the complaint to be true. I then went to Hiland Dairy. I talked to Lonnie Parmenter, Plant Manager, and he was aware of the situation. Apparently, Hiland had a drain plug up and their sewer line backed up and overflowed in the basement. The water then went out the basement door and in to the storm drain. They had to have a plumber come out and unplug the drain. Mr. Parmenter said that the Health Dept. had called him earlier in the day. I talked to Mr. Parmenter about the problem and he said that they were running water to flush out the storm pipe. While I was there, he called Greer Septic Tank Service to have them pump out the ditch behind the Lillard's house. Mr. Parmenter and I went to the Lillard's to look at the ditch. We talked to Wayne Lillard. He said that he was not upset or mad about the situation. He said that since the easement for the storm sewer ended at the end of the 36" storm pipe, on his property, he was going to get a piece of plywood and block the storm pipe. I told Mr. Parmenter to contact the Missouri Department of Natural Resources. I called Mr. Bob Schaefer (3:05 P.M.) and Mr. Jim Fry (3:08 P.M.) and informed them of my the results of my investigation.

2441 N. EAST

Memo

To: File – Connie Lillard, 2441 N. East Ave. (Hiland Dairy)
From: Gene Pabst 
CC: Randy Lyman
Date: 05/24/01
Re: Odor from drainage ditch.

On May 23, 2001, (2:00 P.M.) I went to 2441 N. East Ave. to check out a complaint that we had recently been informed of. The complaint was dated April 27, 2001 (See attached complaint). Apparently, Jim Fry from the Health Dept. has already checked on this. I talked to Wayne Lillard and he said that the milk in the ditch has come back. The ditch was dry at the time of my inspection. The bottom of the ditch was black in color. Wayne said the ditch flows every Tuesday and Thursday. Wayne also stated that when the Health Dept. was out all they did was have Hiland run water in the ditch. Wayne said that Hiland also caused the sanitary sewer to backup into his neighbor's house across the street. From the way the land lays, it appears that the sanitary sewer would overflow out of the manholes before it would back up into a house. Wayne also said that if you would pull the cover on the sanitary sewer, the flow would be white. He stated that he has taken enough classes to know that you cannot dump milk into the sanitary sewer.

After I talked to Mr. Lillard I went to Hiland to talk to Lonnie Parmenter, Plant Manager. Mr. Parmenter was not in because of health reasons, but should be back tomorrow. I will contact him at that time. I looked at Hiland's sump pumps and they appeared to be operating properly.

I will check with Lonnie Parmenter on Thursday May 24, 2001 about this problem.

I contacted Mr. Lonnie Parmenter, Plant Manager for Hiland Dairy, on May 24, 2001 (10:30 A.M.) to inquire about the problem in the storm sewer on April 27, 2001. Lonnie stated that the drain under their dump cooler plugged up and the water got over into the storm sewer before they found it. Mr. Parmenter also stated that they check the storm sewer once a day to see if they have a problem.

I went past Mr. Lillard's house to see if there was flow in the storm ditch as he stated there would be on Thursday. The storm ditch was dry.

SERVICE REQUEST SUMMARY FORM

CASE NO: SVC2001-02170
Reporting Dept Health
Responsible Dept PWGS
Status REC
Date reported 04/27/01
Date abated 00/00/0000
Parcel# 0
Reg Type OTHER

Service Information

Site Address: 2441 N EAST AV

Occupant:

Owner:

Requestor:

CONNIE LILLARD
 2441 N EAST AVE
 SPRINGFIELD, MO
 865-5354

ADDRESS DESCRIPTION:

ADDL PROPERTY INFO:

SITUATION: Drainage ditch has run off from Hiland Dairy. Odor is really, really bad.

Zone Information

Neighborhood Assoc	Health Zone	Census Tract	Council Zone	Inspector
(None)	?		2	?

Activity Information

Action Description	user	user date	start date	due date	done date	Notes
Miscellaneous action	LPIL	04/27/2001	04/27/2001			Per Jim Fry - Health supervisor - Highland is pumping water in to flush the ditch.
Route - Public Works, Gen. Sr	LPIL	04/27/2001	04/27/2001			
Complaint Received	LPIL	04/27/2001	04/27/2001			

Caller Information

Name	Address	Phone1	Phone2	Notes
CONNIE LILLARD	2441 N EAST AVE SPRINGFIELD MO	865-5354		

City of Springfield
Water Pollution Control Section
Pollution Complaint/Report Form

Date 10-24-91

Report From:

- ☐ Citizen
☐ Fire Dept
☐ Sewer Maintenance
☒ Other ANN FEARMAN, H.O.

Received By: KAREN CHANDLER

Referred To:

Date of Incident: 10-24-91

Complainant Information:

Name _____
Address _____
Phone _____
Directions (if needed) _____

Responsible Party Information:

Name _____
Address _____
Phone _____

Possible contamination of: ☐ soil ☐ groundwater

- ☒ surface water what body? _____
☐ other _____

Other Pertinent Information JIM CLANNIN OF RABIES CONTROL TOLD ANN FEARMAN HE WAS PICKING UP A DOG IN THE VICINITY OF THE LILLARD'S BACK YARD AND THERE WAS STINKY WATER IN THE DRAINAGE DITCH

Who to contact:

- | | | |
|---|---|---|
| <input type="checkbox"/> DNR 417-883-4033 | <input type="checkbox"/> Bob Schaefer | <input type="checkbox"/> Sewer Const |
| <input type="checkbox"/> DNR 314-634-2436 | <input type="checkbox"/> CU 831-8320 | <input type="checkbox"/> Chemtrec 800-424-9300 |
| <input type="checkbox"/> EPA 913-236-3378 | <input type="checkbox"/> Street Dept | <input type="checkbox"/> DOT |
| <input type="checkbox"/> Fire Dept 864-1719 | <input checked="" type="checkbox"/> Health Dept | <input type="checkbox"/> NRC 312-790-5500 |
| <input type="checkbox"/> Police Dept 864-1719 | <input type="checkbox"/> Sewer Maint | <input checked="" type="checkbox"/> Other <u>HILAND DAIRY</u> |

Details of Incident:

Action needed: CHECK STORM DITCH, STORM BOX BELOW HILAND
✓ CALL HILAND

2441 EAST AV.

Investigation Results

10/24/91 I CHECKED THE STORM BOX BELOW HILAND (IT WAS RAINING) AND THERE WAS BROWNISH WATER FLOWING THROUGH IT THAT LOOKED LIKE STREET RUNOFF. IT HAD NO ODOR. I THEN WENT DOWN & LOOKED IN THE STORM DITCH BEHIND THE LILLARDS HOUSE. THERE WAS SOME GRAYISH WATER IN THE DITCH THAT HAD A SULFIDE ODOR.

10/25/91 I CALLED WANNIE PARMENTER TO SEE IF THEY HAD HAD ANY TROUBLE WITH THEIR SUMP PUMP IN THE LAST COUPLE OF DAYS. HE SAID HE DIDN'T KNOW OF ANYTHING. I CALLED ANNE BACK & TOLD HER WHAT I HAD FOUND. WE BOTH AGREED IT WAS POSSIBLE THEN GRAYISH WATER IN THE DITCH WAS WATER THAT HAD BEEN SITTING THERE & HAD GOTTEN STAGNANT (THERE WAS SOME TRASH IN THE DITCH.)

MEMO TO FILE

On Wednesday, June 15, 1988, Anne Fearman of the Health Department called us concerning the ditch in the Lillard's backyard. She said Connie Lillard had called her and complained about the nasty looking water in the storm ditch. Connie also told Anne that their were plastic milk jug handles in the ditch. Anne also told us that members of the Lillard family and several people in the neighborhood had Shigella. She said foodservice workers at the school had been tested for the infection, but they tested negative. Anne wanted to look around at Hiland to see if they were having a problem and then to look at the Lillard's backyard. We met Anne at Hiland. Gene checked the sump pump and it was working. There was water on the lot near the back fence as if they had been washing trucks in that area, but only a very small amount had run off the lot into a small hole beneath the drainage pipe. The storm ditch was dry. We then met over at the Lillard's. There was some dark, scummy water in the drainage ditch that smelled like a septic tank. The ditch wasn't draining because there were a lot of weeds growing up around it and there was quite a bit of trash in the ditch. It started to rain, so we told Anne we would call her later. Gene asked Randy about possibly having the Lillard's ditch cleaned out. Randy talked to Bob Turner about the problem and Bob told him he would get together with Gene Thomas about it.

Karen Chandler

Karen Chandler

WPCI II

S & E

2441 N. EAST AVE.

CITY OF SPRINGFIELD
CITIZENS REQUEST

APR 26 1985

Control No. HE 282-4-85 Received AM Date 4-24-85 Assigned to Fearman
By V. Lyons

Reported by Gene Thomas, P.W. for Mrs Lillard
Name Address Phone

Request progress reports Yes No How & when to contact

Location of problem 2441 N. East Ave. Owner Address

Condition reported: Nasty ditch Occupant

Investigated AM PM By

Conditions found:

Action taken: 4-25 - called Steve Short - sanitary services

found L. Lillard - had gone out yesterday P.M.

Abatement order issued via Date To be abated by

Progress report made to Via Time Date

Investigation for compliance AM PM By

Conditions found:

Summons issued to Court date

Additional action required:

Progress report made to Via Time Date

Reviewed by Remarks


2441 N. EAST Ave. ~~1300 60th~~ STREET

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SERVICE REQUEST SUMMARY FORM

CASE NO: SVC2001-02170
Reporting Dept Health
Responsible Dept PWGS
Status REC
Date reported 04/27/01
Date abated 00/00/0000
Parcel# 0
Req Type OTHER

Service Information

Site Address: 2441 N EAST AV

Occupant:

Owner:

Requestor:

--

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CONNIE LILLARD 2441 N EAST AVE SPRINGFIELD, MO 865-5354
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ADDRESS DESCRIPTION:

ADDL PROPERTY INFO:

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(None)	?		2	?

Activity Information

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Route - Public Works, Gen. Sr	LPIL	04/27/2001	04/27/2001			
Complaint Received	LPIL	04/27/2001	04/27/2001			

Caller Information

Name	Address	Phone1	Phone2	Notes
CONNIE LILLARD	2441 N EAST AVE SPRINGFIELD MO	865-5354		

Date 10-24-91

Received By: KAREN CHANDLER

Referred To:

Date of Incident: 10-24-91

Date of Incident: 10-24-91

Date of Incident: 10-24-91

Responsible Party Information:

Name

Address

Phone

Phone

☒ surface water what body?

☐ other

☐ DNR 417-883-4033

☐ DNR 314-634-2436

☐ EPA 913-236-3378

☐ Fire Dept 864-1719

☐ Police Dept 864-1719

☐ Bob Schaefer

□ CU 831-8320

☐ Street Dept

☒ Health Dept

☐ Sewer Maint

☐ Sewer Const

☐ Chemtrec 800-424-9300

☐ DOT

☐ NRC 312-790-5500

☒ Other HILAND PARK

Details of Incident:

Action needed: CHECK STORM DITCH, STORM BOX BELOW HICANO
 ✓ CALL HICANO

2441 EAST AV.

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Karen Chandler
WPCI II
S & E

2441 N. EAST AVE.

CITY OF SPRINGFIELD
CITIZENS REQUEST

APR 26 1985

Control No. HE 282-4-85 Received AM Date 4-24-85 Assigned to Feldman
By V. J.
Reported by Thomas, P.W. for Mrs. Lillard
Name Thomas, P.W. Address Mrs. Lillard Phone _____
Request progress reports Yes No How & when to contact _____
Location of problem 2441 N. East Ave Owner _____
Address _____
Occupant _____
Condition reported: Nasty ditch

Investigated AM PM By _____
Conditions found: _____

Action taken: 4-25-85 - 2441 N. East Ave - Sanitary
1.000 - 1.000 - 1.000 - 1.000 - 1.000 - 1.000

Abatement order issued via _____ Date _____ To be abated by _____
Time _____
Progress report made to _____ Via _____ Date _____

Investigation for compliance AM PM By _____
Conditions found: _____

Summons issued to _____ Court date _____
Additional action required: _____

Progress report made to _____ Via _____ Time _____
Date _____

Reviewed by _____ Remarks 2441 N. EAST AVE. ~~1.000~~ 5.000